

Ordinance No: 15-04
Zoning Text Amendment No: 03-03
Concerning: Health club – C-T zone
Draft No. & Date: 2 – 4/29/03
Introduced: February 25, 2003
Public Hearing: April 8, 2003; 1:30 PM
Adopted: April 29, 2003
Effective: May 19, 2003

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Floreen

AN AMENDMENT to the Montgomery County Zoning Ordinance for the purpose of:

- allowing a health club in the C-T zone under certain circumstances.

By amending the following section of the Montgomery County Zoning Ordinance, Chapter 59 of the Montgomery County Code:

DIVISION 59-C-4	“COMMERCIAL ZONES”
Section 59-C-4.2.	“Land uses”

EXPLANATION: ***Boldface*** indicates a heading or a defined term.
Underlining indicates text that is added to existing laws by the original text amendment.
[Single boldface brackets] indicate text that is deleted from existing law by the original text amendment.
Double underlining indicates text that is added to the text amendment by amendment.
[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.
** * ** indicates existing law unaffected by the text amendment.

OPINION

Zoning Text Amendment No. 03-03 was introduced on February 25, 2003. Under the ZTA, a health club would be permitted by right in the C-T zone only on a site approved by special exception for use as a racquetball, squash, indoor tennis, and handball court facility.

The Montgomery County Planning Board in its report to the Council recommended that ZTA 03-03 be approved, with a revision.

The County Council held a public hearing on April 8, 2003, to receive testimony concerning the proposed text amendment. The text amendment was referred to the Planning, Housing, and Economic Development Committee for review and recommendation.

The Planning, Housing, and Economic Development Committee held a worksession on April 21, 2003 to review the amendment. The Committee recommended that ZTA 03-03 be approved with a revision to clarify that a health club may be established in the C-T under the circumstances described in the ZTA, whether the original approval was for a commercial recreational or entertainment establishment or for a racquetball, squash, and handball court. It was the sense of the Committee that a review should be undertaken to establish a uniform standard for the establishment of health clubs in the C-T zone..

The District Council reviewed Zoning Text Amendment No. 03-03 at a worksession held on April 29, 2003, and agreed with the recommendations of the Planning, Housing, and Economic Development Committee.

For these reasons and because to approve this amendment will assist in the coordinated, comprehensive, adjusted and systematic development of the Maryland-Washington Regional District located in Montgomery County, Zoning Text Amendment No. 03-03 will be approved as amended.

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Sec. 1. Division 59-C-4 is amended as follows:

DIVISION 59-C-4. COMMERCIAL ZONES.

* * *

59-C-4.2. Land uses.

* * *

	C-T	O-M	C-O	C-P	C-1	C-2	C-3	C-4	C-5	C-6	H-M	Country Inn
(f) Cultural, entertainment and recreational:												
* * *												
Health club.	P*	P ³⁴	P ³⁴	P ³⁴	P ⁵⁴	P	P	P		P		

* * *

34 In the O-M, C-O and C-P zones, a health club is permitted only within an office building. A health club is not to exceed 10 percent of the gross floor area of the building and must not exceed 10,000 square feet in size.

* * *

* On a site approved by special exception before May 19, 2003 for use as a racquet ball, squash, indoor tennis, and handball court [[facility]], whether the original approval was for a commercial recreational or entertainment establishment or for a racquetball, squash, indoor tennis and handball court The reuse and interior remodeling of an existing building to accommodate a health club, which is on a site approved by special exception before May 19, 2003 for use as a commercial recreational or entertainment establishment or racquet ball, squash, indoor tennis, and handball court [[facility]], is not subject to site plan review.

21 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the
22 date of Council adoption.

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24 This is a correct copy of Council action.

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28 Mary A. Edgar, CMC

29 Clerk of the Council